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April 9, 2014

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H. *Jonathan E. Fielding mo*  
Director and Health Officer

SUBJECT: **LOS ANGELES TIMES ARTICLE ON COUNTY INSPECTIONS OF FOOD TRUCKS AND CARTS**

The Los Angeles Times reported on April 8, 2014 on the Los Angeles County Department of Public Health's (DPH) Food Vehicle Inspection Program. Two main points were referenced in the article: The program has only inspected 60% of the approximate 5,000 food trucks and carts currently under permit; and information gathered by the program on inspection is not readily accessible to the public.

In recent years DPH has recognized the challenges presented in regulating food trucks and carts, especially in view of their growing popularity as a dining option for consumers. In 2010 pursuant to action by your Board, the successful restaurant letter-grading program was extended to include food vehicles. This action was designed to give consumers information useful for the dining choices they make, as well as provide a readily apparent means of distinguishing permitted food vehicle from those operating illegally. The vehicle letter grading was implemented in two phases. Implementation of Phase I began in November 2010 and applied to "high and moderate risk" food vehicles such as full-service food trucks and carts. Phase II, currently being implemented, applies to "low risk" vehicles such as pre-packaged food vendors, produce trucks, and coffee/pretzel carts among others.

Following this important milestone in 2010, a series of other improvements in our regulation of mobile food vehicles have been made with extensive input from the food vehicle and motion picture catering industries. These include: clarification of restroom availability requirements, food safety issues associated with film productions, specifications for design and construction of hot trucks, and proper utilization of commissaries by food vehicles. These changes required detailed and lengthy discussions and negotiation with affected stakeholders. In addition, DPH made substantial improvement in the delivery of customer service, and this has resulted in many positive comments from vehicle operators and the public. Collectively, the resolution of these issues necessarily delayed implementation of both Phase I and II inspection efforts, and required substantial investment of staff time.

DPH has provided periodic updates to your Board on May 21, 2012, April 5, 2013, and February 10, 2014, indicating our progress and the outstanding issues to be resolved. Following is information relevant to the two issues highlighted in the subject article.

## **Status of Inspection Efforts**

The California Health and Safety Code requires that food vehicles operate in conjunction with a commissary that provides for cleaning, servicing, and storage of the vehicles during periods of non-operation. The commissaries are inspected to ensure food supplied to vendors is from an approved source and properly stored at the commissary. Additionally, inspectors verify that the commissary maintains adequate facilities for the safe offloading and disposal of liquid and solid waste accumulated during vehicle operations. The Code also requires that food vehicles be constructed and operated in compliance with specified requirements. It is the goal of the Department to conduct one annual inspection of each commissary, one annual certification inspection of equipment on the vehicle, and one to two field inspections annually of the vehicle to verify compliance with operational requirements.

For Fiscal Year 2012-13, DPH completed an annual certification inspection of equipment on 95 percent of the high and moderate risk food trucks and carts currently permitted in the County. During the same period DPH completed one annual inspection of each of the 180 commissaries operating within the County.

As reported in the subject article, only 60 percent of all moderate and high risk permitted food trucks and carts have received a field inspection since 2011. It should be noted that many of these have received multiple inspections. While we have clearly fallen short of our inspection goals, it is important to understand the contributing factors. As the program was implemented, members of the industry brought to our attention a number of long-standing policy issues, including those referenced above, which they argued were not strictly required in State law, and which would unfairly penalize them as letter grading proceeded. We made a decision to work collaboratively with members of the mobile food industry to resolve these policy issues early in our implementation of the letter-grading ordinance. We believed this action was necessary before aggressively moving forward with the inspection and letter grading effort.

Another key issue that has impeded the inspection effort is the nature of the mobile food operation. Some food trucks make numerous stops each day and some frequently change their designated routes in response to business demands. This complicates the ability of the Department to locate food vehicles for the purpose of conducting unannounced inspections. Initially, DPH had requested operators provide detailed route information to the Department, but well into 2012 only 20 percent of the operators had done so. Even as a higher percentage of operators disclosed their routes, DPH frequently found the information to be unreliable as a means of locating vehicles for inspection, greatly reducing the efficiency of our inspectors.

By 2013, it was clear that alternatives to the submission of hard-copy route information would be required to resolve this issue of promptly locating vehicles for inspection. DPH is currently evaluating with input from the industry the use of social media and GPS as a reliable method of locating vehicles. The scheduled implementation of EnvisionConnect this July will collect extensive inspection data that will be immediately available to inspectors in the field to assist with determining which vehicles are due for inspection.

In addition to the 5,000 permitted food vehicles within the County, there are an estimated 5,000 – 10,000 non-permitted food vehicles, carts, and other street vendors. Our response to public complaints and the discovery of non-permitted vendors by DPH inspectors while in the field has led to the redirection of staff away from permitted vehicle inspection and grading efforts. We are working with the Los Angeles County Sheriff, city law enforcement, and other agencies to increase their role and active participation in enforcing against unpermitted food vendors so DPH can focus its efforts on permitted vendors. DPH

remains committed to offering non-permitted vendors a pathway to securing permitted status and this workload is increasing.

### **Consumer Access to Inspection Information**

As referenced in the subject article, our existing online database is difficult to navigate, and does not currently include all relevant information. With the implementation of EnvisionConnect, extensive information on inspection and compliance, scoring and letter grading, fee payment, and permitting will be collected. Much of this information will be up-to-date and available to the public via online access. DPH will enhance its website for consumers to make inspection information from the system more readily available and easier to access.

There are a number of jurisdictions throughout the country that are experiencing these same challenges. However, the challenges faced in Los Angeles County are further complicated by the vast geographic area and the unlimited number of food vehicles which may operate within our jurisdiction. Other metropolitan areas have placed a cap on the number of vehicles that may be permitted. DPH is conferring with food vehicle regulators throughout the country to identify best practices that will continue to guide improvements in this area.

DPH will continue to periodically update you on the progress of our vehicle inspection program. If you have any questions or would like additional information, please let me know.

JEF:ab

c: Chief Executive Officer  
County Counsel  
Executive Officer, Board of Supervisors